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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/788,225	02/16/2001	Neil R.N. Enns	50037.23US01/160456.1	3927

27488 7590 07/11/2005
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EXAMINER

LUU, LE HIEN

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 07/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/788,225

Applicant(s)

ENNS ET AL.

Examiner

Le H. Luu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02/16/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

1. Claims 1-19 are presented for examination.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-19 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Henderson et al. (Henderson) patent no. 6,185,603, in view of Chang et al. (Chang) Pub. No. 2003/0018720.

4. As to claim 1, Henderson teaches the invention substantially as claimed, including a method for sending a message using at least one transport, comprising:

receiving data including at least one recipient address that indicates a destination for the message; and for each recipient address in the data (col. 6 line 61 - col. 9 line 49),

determining a transport to deliver the message (col. 3 lines 4-10; col. 6 line 61 - col. 9 line 49); and

setting a flag associated with the message to indicate the determined transport (col. 3 lines 4-10).

However, Henderson does not explicitly teach determining the transport to deliver the message based on characters of the recipient address.

Chang teaches sending an email message to a recipient when the email message includes email destination address format, and faxing a message to a recipient's fax device when the message includes a destination address, i.e., a telephone number of the intended recipient's fax device (Abstract; page 6 para. [0080 – 0082]).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Henderson and Chang to determine the transport to deliver the message based on characters of the recipient address because it would provide a data format that is compatible for reception by a messaging interface having a destination address corresponding to an intended recipient.

5. As to claims 2-4, Henderson and Chang teach determining the transport includes examining the address for pre-defined patterns; an address is determined to be a wireless address if the address contains numbers, and determined to be a default transport if the address contains no identifiable predefined pattern (Henderson, col. 6 line 61 - col. 9 line 49; Chang, Abstract; page 6 para. [0080 – 0082]).

6. As to claims 5-6, Henderson and Chang teach the data associated with the address explicitly indicates that a particular transport should deliver the message to the address; and the data is associated with the address in response to a user selecting the

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address from a list (Henderson, col. 6 line 61 - col. 7 line 19; Chang, Abstract; page 6 para. [0080 – 0082]).

7. As to claims 7-8, Henderson and Chang teach each transport performing the actions of: determining if the flag indicates the transport should deliver the message; and if so, delivering the message; and each transport performing the actions of: determining if the transport is a last transport to send the message; and if so, further processing the message (Henderson, col. 5 lines 16-30; col. 6 line 61 - col. 9 line 49; Chang, Abstract; page 6 para. [0080 – 0082]).

8. As to claims 9-11, Henderson inherently teaches an email system that capable of processing the message includes moving the message to a destination folder; the destination folder is a sent items folder or a deleted items folder (col. 4 line 47 - col. 5 line 31; Abstract; page 6 para. [0080 – 0082]).

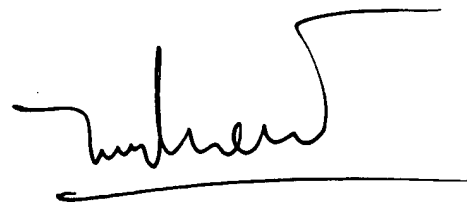
9. Claims 12-19 have similar limitations as claims 1-11; therefore, they are rejected under the same rationale.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Le H Luu whose telephone number is 571-272-3884. The examiner can normally be reached on 7:00am - 4:30pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Le Hien Luu', with a long horizontal line extending from the end of the signature.

LE HIEN LUU
PRIMARY EXAMINER

July 07, 2005